

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE TESLA INC. STOCKHOLDER
DERIVATIVE LITIGATION

§ Lead Case No. 1:22-cv-00592-DAE
§
§ (Consolidated with Case No. 1:22-cv-00611-
§ DAE)

This Document Relates To:

All Cases

**AGREED MOTION TO MODIFY DEADLINE TO FILE ANSWERING BRIEF IN
OPPOSITION TO MOTION TO DISMISS SECOND AMENDED CONSOLIDATED
COMPLAINT**

COMES NOW plaintiff Alvin Janklow ("Plaintiff"), moves to modify the current deadline for Plaintiff to file an answering brief in opposition to the Motion to Dismiss the Second Amended Consolidated Complaint (the "Motion"). Defendants ("Defendants," and with Plaintiff, the "Parties") do not oppose this Motion. In support of this Motion, the Plaintiff states and proposes as follows:

1. On May 17, 2024, the Court entered an order for the briefing schedule for Defendants' Motion to Dismiss the Second Amended Consolidated Complaint (ECF No. 99) (the "Order").
2. Defendants filed their Motion to Dismiss the Second Amended Consolidated Complaint on July 1, 2024 (ECF No. 102) (the "Motion to Dismiss").
3. Plaintiff's answering brief in opposition to the Motion to Dismiss is scheduled to be filed on or before August 15, 2024 pursuant to the Order.

4. In light of certain scheduling issues affecting Plaintiff's counsel in this matter, the Parties have agreed to a short one-week extension of Plaintiff's deadline to file his answering brief in opposition to the Motion to Dismiss, to August 22, 2024 (the "Opposition").

5. Following the filing and service of Plaintiff's Opposition, Defendants shall file and serve their reply brief in further support of the Motion to Dismiss on or before September 27, 2024.

6. The agreed-to extension is not entered into for purposes of delay, will not affect any other pending dates, and will not result in any prejudice.

7. In the event the Court does not issue an order in accordance with this Motion, the undersigned will not argue that Plaintiff failed to timely file his Opposition.

WHEREFORE, the Parties pray for an order extending the time for Plaintiff's filing of the Opposition, and the Parties' briefing schedule as set forth in this Motion.

Dated: August 13, 2024

Respectfully submitted,

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/s/ Shane P. Sanders

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Dated: August 13, 2024

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Counsel for Defendants

CERTIFICATE OF CONFERENCE

I certify that on August 13, 2024, I conferred with counsel for Defendants, Doru Gavril of Freshfields Bruckhaus Deringer US LLP, regarding the substance of this Motion and he stated that Defendants agree with the relief requested herein.

/s/ Shane P. Sanders
SHANE P. SANDERS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed with the Court's electronic case filing (ECF) system on August 13, 2024, which caused an electronic copy of this document to be served on all counsel of record in this matter who have registered for ECF service.

/s/ Shane P. Sanders
SHANE P. SANDERS

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